

MARY WILLIAMS

STATE REPRESENTATIVE • 87th ASSEMBLY DISTRICT

Committees: Property Rights (Chair) • Tourism, Recreation and State Properties (Vice Chair) • Natural Resources • Agriculture Forestry • Rural Economic Development • Rules Committee



February 20, 2008

Thank you, fellow members, for the opportunity to testify on Assembly Bill 718, relating to delaying the implementation date of our comprehensive planning statutes. This is a rather simple bill. Currently, Wisconsin law requires all local units of government that wish to engage in land use regulation to form a comprehensive plan that is consistent with their land use regulations by 2010. This bill would simply extend that date to 2015.

Most people here today remember that I have tried in prior sessions to entirely repeal the comprehensive planning statutes. This is not because I am against planning; in fact, I am all for planning. However, the people I represent have a number of concerns with Wisconsin's comprehensive planning statutes:

1. They feel it did not pass into law properly. Instead of going through the normal legislative process, it was passed into the 1999 state budget without even undergoing a public hearing.
2. They feel it is a one-size-fits-all mandate that was developed with urban areas such as Milwaukee and Madison in mind. Since our rural areas are much different than these urban or suburban areas and face different land use concerns, my constituents feel they should not be treated the same.
3. They feel that due to their smaller populations, they have fewer resources available to create such a thorough and complex land-use plan. Although there is grant money available, my small towns and villages generally lose out to the larger towns and villages that can create more professional plans.
4. Lastly, although comprehensive planning is intended to be a participatory planning event working from the ground up, my constituents often worry that those who steer the plans do not adequately take input from all of their constituents into account. Thus, many land owners feel this could further erode their property rights. When your retirement is staked on being able to sell your land, this is a substantial concern.

Due to these and many other concerns, very few of the areas I represent have currently done or are currently doing a work on a comprehensive plan. And they are not alone. According to Wisconsin's Department of Administration, which keeps a database of all comprehensive plans, as of January 2008, only 18 of Wisconsin's 72 counties have adopted a comprehensive plan. Of our state's 190 cities, only 84 have finished their plans. Of our state's 403 villages, only 135 have finished their comprehensive plan. Finally, Wisconsin has 1258 towns. Since 304 of those towns do not have zoning, they likely do not need a comprehensive plan. But that still leaves us with only 413 towns that have finished their plan out of the 954 that will be required to have one.

If we plan to keep this law on the books, it is my hope that we will at least give our local units of government more time to conform to this state mandate. They were given ten years to do this, and eight years later less than half of them have finished. Rather than rush the rest, we should give them time to make sure they plan their important land use decisions carefully in order to satisfy our state law.

Thank you,

Representative Mary Williams

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American Planning Association
Wisconsin Chapter

Making Great Communities Happen

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Executive Director
Southwestern Wisconsin Regional
Planning Commission
608-342-1713

Honorable Property Rights Chair and Members of the Committee,

Greetings, and thank you for the opportunity to offer this testimony on the issue of extending the deadline for meeting the requirements of 66.1001. My name is Lawrence T. Ward, Jr., and I am the Secretary of the Wisconsin Chapter of the American Planning Association and I am offering this testimony for that organization. I am a member of the AICP – the American Institute of Certified (not certifiable) Planners.

I am also the Chairman of the Assn. Wisconsin Regional Planning Commissions for 2008, though I am not representing them at this hearing today.

I am also the Executive Director of Southwestern Wisconsin Regional Planning Commission. We serve Grant, Green, Iowa, Lafayette and Richland Counties. As you know, southwestern Wisconsin is a very rural area and we have some of the best farmland in the state.

I was hired in January, 2001, after the former Director retired. The five County Board Chairs who interviewed me asked me pointedly how, if I was given the Director position, I would help get them through the comprehensive planning process. I replied "one county at a time".

Since 2001, SWWRPC has worked with 131 Towns, Villages and Cities, plus our five counties (that's a total of 136 jurisdictions for those of you who are counting), to help them create comprehensive plans that meet the requirements of 66.1001. Countless public meetings have been held and our staff have worn out one car and two copy machines. The citizens have given up a lot of couch time in order to comply with the law in and protect their communities' rights to regulate development.

The comprehensive planning regulations were adopted in 1999. Everyone was given 10 years to comply. To give the foot-draggers an extra five years is a slap in the face of all of the communities who complied. These communities who are telling you that they didn't have enough time, should simply get to work. They have two years to prepare and adopt a plan.

If the Legislature wants to be helpful to these communities you should try putting more money into the Department of Administration's Comprehensive Planning Grant program. Even if there isn't any additional money many communities have paid for their own plans - it is not excessive nor is it unreasonable for tax-spending local governments to operate from a comprehensive plan. It is simply good public policy.

Not all of the jurisdictions who have adopted comprehensive plans sent them to the Department of Administration, so the numbers that follow are very conservative. Nevertheless, these are the numbers of ADOPTIONS.

787 towns -- 63% (472 remaining)
141 cites -- 74% (49 remaining)
268 villages -- 67% (134 remaining)
47 counties -- 65% (25 remaining)

Many other communities are working on their plans. Virtually every city will comply by the deadline and the vast majority of villages will, too. That leaves counties, who have the resources to do this if they choose to, and towns. And there are a lot of towns who simply chose not to comply and wouldn't even if they were given additional time. Many of them are unzoned or have county zoning.

While it may seem like kindness to offer noncompliant communities additional time, it isn't. On January 1, 2010, those non-complying communities won't disappear. They will simply carry on doing what they always have done – making arbitrary and capricious land use decisions with no guiding comprehensive plan. Some will be challenged in court and they will have to defend their actions.

In the real world, decisions as important as land use decisions should be made by people following a plan that has been developed by the people who live in the community. That is property rights protection. Decision-makers must have some idea of what their community wants and not simply be blown in the wind. That is what comprehensive planning is all about. Governments that make decisions arbitrarily do not protect property rights – in fact, they defile them. Ask any builder from your community and they will always tell you that they prefer to know the rules so they know where they can develop and what the standards are. They may not like the regulation but they want to know what it is. Citizens should know what will be done with the land next to them. People deserve the right to public process and to know the decisionmaking criteria that will be used whether they are applicant or neighbor. If a jurisdiction doesn't want to have their community develop a comprehensive plan to guide development they should get out of the land regulation business.

On behalf of the Wisconsin Chapter of the American Planning Association I urge you to not extend the deadline for complying with the Wisconsin's Comprehensive Planning law.

Thank you for the opportunity to testify before you today.



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qualified. Terms shall begin as specified in the ordinance. Vacancies shall be filled for the unexpired term in the manner in which the original appointment was made.

(7) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS. (a) When all members have qualified the board shall meet at the place designated in the ordinance and organize by electing from its membership a president, a vice president, a secretary and a treasurer, each to hold office for one year. The board may combine the offices of secretary and treasurer. Members shall receive compensation as provided in the ordinance and shall be reimbursed their actual and necessary expenses. With the approval of the board, the treasurer may appoint an assistant treasurer, who need not be a member of the board, to perform services specified by the board.

(b) Members, and any assistant treasurer, shall qualify by taking the official oath, and the treasurer and any assistant treasurer shall furnish a bond in a sum specified by the board and in the form and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed with the county clerk. The cost of the bond shall be paid by the board.

(8) POWERS OF BOARD. The board may, subject to provisions of the ordinance:

(a) Contract for the construction or other acquisition, equipment or furnishing of a hospital.

(b) Contract for the construction or other acquisition of additions or improvements to, or alterations in, a hospital and the equipment or furnishing of an addition.

(c) Employ a manager of a hospital and other necessary personnel and fix their compensation.

(d) Enact, amend and repeal rules and regulations for the admission to, and government of patients at, a hospital, for the regulation of the board's meetings and deliberations, and for the government, operation and maintenance of the hospital and the hospital employees.

(e) Contract for and purchase all fuel, food, equipment, furnishings and supplies reasonably necessary for the proper operation and maintenance of a hospital.

(f) Audit all accounts and claims against a hospital or against the board, and, if approved, pay the accounts and claims from the fund specified in sub. (10). All expenditures made pursuant to this section shall be within the limits of the ordinance.

(g) Sue and be sued, and to collect or compromise any obligations due to the hospital. All money received shall be paid into the joint hospital fund.

(h) Make studies and recommendations to the county board and city council or city councils relating to the operation of a hospital as the board considers advisable or the governing bodies request.

(i) Employ counsel on either a temporary or permanent basis.

(9) BUDGET. The board shall annually, before the time of the preparation of either the county or city budget under s. 65.90, prepare a budget of its anticipated receipts and expenditures for the ensuing fiscal year and determine the proportionate cost to the county and the participating city or cities under the terms of the ordinance. A certified copy of the budget, which shall include a statement of the net amount required from the county and city or cities, shall be delivered to the clerks of the respective municipalities. The county board and the common council of the city or cities shall consider the budget, and determine the amount to be raised by the respective municipalities in the proportions determined by the ordinance. After this determination, the county and city or cities respectively shall levy a tax sufficient to produce the amount to be raised by the county and city or cities.

(10) HOSPITAL FUND. A joint county-city hospital fund shall be created and established in a public depository to be specified in the ordinance. The treasurer of the respective county and city or cities shall pay into the fund the amounts specified by the ordinance and resolutions of the respective municipalities when the

amounts have been collected. All of the moneys which come into the fund are appropriated to the board for the execution of its functions as provided by the ordinance and the resolutions of the respective municipalities. The moneys in the fund shall be paid out by the treasurer of the hospital board only upon the approval or direction of the board.

(11) CORRELATION OF LAWS. (a) In any case where a bid is a prerequisite to contract in connection with a county or city hospital under s. 66.0901, it is also a prerequisite to a valid contract by the board. For this purpose, the board is a municipality and the contract a public contract under s. 66.0901.

(b) All statutory requirements, not inconsistent with the provision of this section, applicable to general county or city hospitals apply to hospitals referred to in this section.

(12) REPORTS. The board shall report its activities to the county board and the city council or councils annually, or oftener as either of the municipalities requires.

(14) POWERS OF VILLAGES. Villages have all of the powers granted to cities under subs. (1) to (12) and whenever any village exercises these powers the word "city" wherever it appears in subs. (1) to (12) means "village" unless the context otherwise requires. Any village participating in the construction or other acquisition of a hospital or in its operation, pursuant to this section, may enter into lease agreements leasing the hospital and its equipment and furnishings to a nonprofit corporation.

(15) POWERS OF TOWNS. Towns have all of the powers granted to cities under subs. (1) to (12) and whenever any town exercises these powers the word "city" wherever it appears in subs. (1) to (12) means "town" unless the context otherwise requires. Any town participating in the construction or other acquisition of a hospital or in its operation, under this section, may enter into lease agreements leasing the hospital and its equipment and furnishings to a nonprofit corporation.

History: 1977 c. 29; 1983 a. 189; 1983 a. 192 s. 303 (1); 1993 a. 246; 1999 a. 150 ss. 262, 480 to 483; Stats. 1999 s. 66.0927.

SUBCHAPTER X

PLANNING, HOUSING
AND TRANSPORTATION

66.1001 Comprehensive planning. (1) DEFINITIONS. In this section:

(a) "Comprehensive plan" means:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).

2. For a city or a village, or for a town that exercises village powers under s. 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.0309 (8), (9) or (10).

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(c) "Political subdivision" means a city, village, town, or county that may adopt, prepare, or amend a comprehensive plan.

(2) CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain all of the following elements:

(a) *Issues and opportunities element.* Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20-year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

(b) Housing element. A compilation of objectives, policies, goals, maps and programs of the local governmental unit to provide an adequate housing supply that meets existing and forecasted housing demand in the local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock. The element shall also identify specific policies and programs that promote the development of housing for residents of the local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs, policies and programs that promote the availability of land for the development or redevelopment of low-income and moderate-income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) Transportation element. A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, electric personal assistive mobility devices, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate state, regional and other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

(d) Utilities and community facilities element. A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, storm water management, water supply, solid waste disposal, on-site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power-generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing public utilities and community facilities that serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and facilities or to create new utilities and facilities and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

(e) Agricultural, natural and cultural resources element. A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

(f) Economic development element. A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion, of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses.

The element shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) Intergovernmental cooperation element. A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

(h) Land-use element. A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land-use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years, in 5-year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate productive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

(i) Implementation element. A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

(3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Beginning on January 1, 2010, if a local governmental unit engages in any of the following actions, those actions shall be consistent with that local governmental unit's comprehensive plan:

(g) Official mapping established or amended under s. 62.23 (6).

(h) Local subdivision regulation under s. 236.45 or 236.46.

(j) County zoning ordinances enacted or amended under s. 59.69.

(k) City or village zoning ordinances enacted or amended under s. 62.23 (7).

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(L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.

(q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.

(4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services, and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative, or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments. The written procedures shall describe the methods the governing body of a local governmental unit will use to distribute proposed, alternative, or amended elements of a comprehensive plan to owners of property, or to persons who have a leasehold interest in property pursuant to which the persons may extract nonmetallic mineral resources in or on property, in which the allowable use or intensity of use of the property is changed by the comprehensive plan.

(b) The plan commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by a majority vote of the entire commission. The vote shall be recorded in the official minutes of the plan commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.
2. The clerk of every local governmental unit that is adjacent to the local governmental unit that is the subject of the plan that is adopted or amended as described in par. (b) (intro.).
3. The Wisconsin land council.
4. After September 1, 2005, the department of administration.
5. The regional planning commission in which the local governmental unit is located.
6. The public library that serves the area in which the local governmental unit is located.

(c) No comprehensive plan that is recommended for adoption or amendment under par. (b) may take effect until the political subdivision enacts an ordinance or the regional planning commission adopts a resolution that adopts the plan or amendment. The political subdivision may not enact an ordinance or the regional planning commission may not adopt a resolution under this paragraph unless the comprehensive plan contains all of the elements specified in sub. (2). An ordinance may be enacted or a resolution may be adopted under this paragraph only by a majority vote of the members-elect, as defined in s. 59.001 (2m), of the governing body. An ordinance that is enacted or a resolution that is adopted under this paragraph, and the plan to which it relates, shall be filed with at least all of the entities specified under par. (b).

(d) No political subdivision may enact an ordinance or no regional planning commission may adopt a resolution under par. (c) unless the political subdivision or regional planning commission holds at least one public hearing at which the proposed ordinance or resolution is discussed. That hearing must be preceded by a class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The political subdivision or regional planning commission may also provide notice of the hearing by

any other means it considers appropriate. The class 1 notice shall contain at least the following information:

1. The date, time and place of the hearing.
2. A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.
3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.
4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.

(e) At least 30 days before the hearing described in par. (d) is held, a local governmental unit shall provide written notice to all of the following:

1. An operator who has obtained, or made application for, a permit that is described under s. 295.12 (3) (d).
2. A person who has registered a marketable nonmetallic mineral deposit under s. 295.20.
3. Any other property owner or leaseholder who has an interest in property pursuant to which the person may extract nonmetallic mineral resources, if the property owner or leaseholder requests in writing that the local governmental unit provide the property owner or leaseholder notice of the hearing described in par. (d).

(f) A political subdivision shall maintain a list of persons who submit a written request to receive notice of any proposed ordinance, described under par. (c), that affects the allowable use of the property owned by the person. At least 30 days before the hearing described in par. (d) is held a political subdivision shall provide written notice, including a copy of the proposed ordinance, to all such persons. The notice shall be by mail or in any reasonable form that is agreed to by the person and the political subdivision. The political subdivision may charge each person on the list who receives a notice a fee that does not exceed the approximate cost of providing the notice to the person.

(5) APPLICABILITY OF A REGIONAL PLANNING COMMISSION'S PLAN. A regional planning commission's comprehensive plan is only advisory in its applicability to a political subdivision and a political subdivision's comprehensive plan.

(6) COMPREHENSIVE PLAN MAY TAKE EFFECT. Notwithstanding sub. (4), a comprehensive plan, or an amendment of a comprehensive plan, may take effect even if a local governmental unit fails to provide the notice that is required under sub. (4) (e) or (f), unless the local governmental unit intentionally fails to provide the notice.

History: 1999 a. 9, 148; 1999 a. 150 s. 74; Stats. 1999 s. 66.1001; 1999 a. 185 s. 57; 1999 a. 186 s. 42; 2001 a. 30, 90; 2003 a. 33, 93, 233, 307, 327; 2005 a. 26, 208.

66.1003 Discontinuance of a public way. (1) In this section, "public way" means all or any part of a road, street, slip, pier, lane or paved alley.

(2) The common council of any city, except a 1st class city, or a village or town board may discontinue all or part of a public way upon the written petition of the owners of all the frontage of the lots and lands abutting upon the public way sought to be discontinued, and of the owners of more than one-third of the frontage of the lots and lands abutting on that portion of the remainder of the public way which lies within 2,650 feet of the ends of the portion to be discontinued, or lies within so much of that 2,650 feet as is within the corporate limits of the city, village or town. The beginning and ending of an alley shall be considered to be within the block in which it is located. This subsection does not apply to a highway upon the line between 2 towns that is subject to s. 82.21.

(3) The common council of any city, except a 1st class city, or a village or town board may discontinue all or part of an unpaved alley upon the written petition of the owners of more than 50% of the frontage of the lots and lands abutting upon the portion of the unpaved alley sought to be discontinued. The beginning and end-

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To: Assembly Committee on Property Rights
From: Rick Stadelman, Executive Director
Re: AB 718 to Delay implementation of Comprehensive Planning
Date: February 20, 2008

Wisconsin Towns Association supports a delay of the consistency requirement under Sec. 66.1003 (3) of Wis. Statutes to January 1, 2012. We do not believe that delaying this consistency requirement until January 1, 2015 will politically pass in the State Senate or be signed by the Governor.

Delaying the consistency requirement until January 1, 2012 will give towns, villages, cities, and counties who have sought state comprehensive planning grants from the Department of Administration in recent years, but who have been turned down because the total amounts of state funds available have been insufficient to meet the demand two additional years to comply. For the last three years, the requests for comprehensive planning grants have exceeded the funds available by more than double. These municipalities and counties deserve additional time to comply. Wisconsin Towns Association requests the legislature increase the comprehensive planning grants in the next four years to be fair to those communities that have sought grants but been turned down because of a shortage of funds available.

Another option to consider as an amendment to AB 718 would be to authorize the delay for those towns, villages, cities and counties who declare the need for a two year delay until January 1, 2012. Over about 900 municipalities and counties will have adopted plans by January 1, 2010, and may not need the delay. By giving this option to delay the consistency requirement to those municipalities and counties who have not adopted their comprehensive plan as of January 1, 2010, but allow the consistency requirement to apply as of January 1, 2010 to those that have completed their comprehensive plan allows the consistency requirement to apply as anticipated for those that have adopted their comprehensive plans.

Thank you for your consideration in this matter.

AMERICANS FOR PROSPERITY

1726 M Street NW, 10th Floor • Washington DC 20036 • 202.349.5880

Date: February 20, 2008

To: Members of the Assembly Committee on Property Rights

From: Mark Block, State Director, Americans for Prosperity-Wisconsin

Re: 2007 Assembly Bill 718: Delaying implementation date of the comprehensive planning statute.

Americans for Prosperity (AFP) strongly supports Assembly Bill 718 introduced by Representative Williams.

AFP is a free-market grassroots organization committed to educating and mobilizing citizens about economic policy and the public policy process. AFP supports policies that limit government and allow free market principles to work on the local, state and federal levels.

On behalf of our over 12,000 grassroots members in Wisconsin we support delaying the implementation date of the planning statute until January 1, 2015 because of the cost of preparing the comprehensive plan for many communities is prohibited by budget constraints and the timeframe of implementation by January 1, 2010 could result in unintended consequences.

Americans for Prosperity urges the committee to support AB 718.